

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

FILED
RICHARD W. NAGEL
CLERK OF COURT

2023 FEB 23 PM 1:20

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST DIV. COLUMBUS

DWAYNE SIMS

Plaintiff(s)

V.

C/O McCloud

Defendant(s)

Declaration OF DWAYNE SIMS

Civil Action No. 2:23-CV-00540-NM-SKB

DWAYNE SIMS Hereby declares:

I have been incarcerated here at Southern Ohio Correctional Facility since July, 8th 2022 since April 23, 2022 I have been Retaliated on By The Defendants Name In the complaint on several occasions I have been targeted due to me refusing to enter into the gang prevention Program I have been targeted due to me refusing to, ODRC has inmates who are in gangs and suspected inmates who sell drugs.

ON 08/23/2022 I won my S.M.P appeal from the operation support center due to my 48 hour Notice could not be Verifide, due to the fact the SMP panel lied and forged a false signature and said I was at the SMP Hearing when I never went to a SMP Hearing or refused to go so Karli G. Hupka The program administrator there at the operation support center ordered for a New Review to be completed I told the defendant Jeremy oppy several times to do me a New Review because my Regular Review is September 22, 2022 and I never violated none of my IAP goals He Refused several times I wrote kites Informal complaint and a grievances that was never answered so I sent it to the chief Inspector.

ON Sept, 29 2022 I was sent to the hole for going to Rec. I never violated any Institutional rule The Rec officer stated you are on Recreation Restriction so he cuffed me back up after putting me inside the Recreation cage and then coming back outside and cuffing me back up saying I'm going to the hole for coming to Recreation when the Rec officer allowed me to come. His (Blac) was Activated and He walked me to R.H I was Striped out Searched Nothing was found I was placed in cell 17 on J-2 slumber side only five minutes Inside that cell I never was given any of my property so the C/O's working that day knew I didn't have anything in that cell at that time, I found a knife and a pill placed in my cell I immediately notified The C/O's working, ~~at~~ time

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To Call a white shirt. I did not see any other people in the building (barracks) and I received no telling
her this was found. In this cell when I just got placed in here without my pickup I
placed it in her hand she took it and said she will do what she is suppose to do
I found out five days later I had a ticket for a weapons that I never received
a hearing for.

Oct, 31 2022 I did over 29 days in R.H after being assaulted I did 37 days
in R.H When you can do only up to 29 days in R.H

02/04/23 all of my apps has been turned off on my tablet I have been restricted
from the hashiberry and using the phone, I received another 90 days for using
the phone when I never received my one month to call operation
support center. I am being refused to get transferred to another level when
I have been on the waiting list for 2 months.

I will suffer irreparable injury to my mental health also loss to my property and
liberty, If my fundamental due process are continued to be violated and damages
to my well being If the court does not sign my temporary restraining order

I declare under penalty of perjury that the foregoing is true and correct
Executed on FEB 15 2023 at Southern Ohio Correctional facility city of Lucasville,
State of Ohio 45649.

DWAYNE SIMS #753-052
Southern Ohio Correctional Facility
PO Box 45699
Lucasville, OH 45699

Southern Ohio Correctional Facility
Outgoing Inmate Mail



US POSTAGESM PITNEY BOWES



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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
85 Marconi, Boulevard Room 121
Columbus, OHIO 43215